ATTACHMENT A

STATE OF COLORADO

COLORADO DEPARTMENT OF HEALTH
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March 12, 1991

Thomas T. Olsen
Project Manager Decontamination Pad
DOE/Rocky Flat Office
P.O. Box 928 T130A
Golden, CO 80402-0928

Dear Mr. Olsen:

The Colorado Department of Health, Hazardous Materials Waste Management Division, "the Division" has reviewed and compared the information submitted August 1990 by the Department of Energy, DOE, in the Remedial Action Temporary Decontamination Pad, RATDP, with the requirements in 6 CCR 1007-3, Part 262 and Part 265 Subpart J, Interim Status Standards for Tanks.

Although not explicitly stated in the RATDP, the Division has assumed that storage of hazardous waste in the two sedimentation and four holding tanks will not exceed 90 days. Tanks which contain hazardous wastes for longer than 90 days must be covered by a permit or interim status.

After review and comparison of the RATDP and the appropriate sections of 6 CCR 1007-3, Parts 262 and 265, Subpart J, the Division was unable to locate the information required for compliance with following standards.

1. A written assessment which has been reviewed and certified by an independent, qualified Professional Engineer registered in the State of Colorado should be submitted with the following items.

   a. Design calculations showing that the tank support pallets will support the fully loaded 1000 gallon sedimentation tanks and the 2600 gallon storage tanks in the RATDP. Section 265.192 (a)(5)(i).

   b. A statement that the high density crosslinked rotationally molded polyolefin is expected to be suitable material for the hazardous wastes to be stored in the decontamination pad tanks. Section 265.192 (a)(5)(i)

   c. The effects of frost heave have been considered in the design of the tank system and will not effect the structural integrity or the operation of the tanks. Section 265.192 (a)(5)(iii).

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d. Proper procedures are adhered to during the installation of the new tank system and prior to placing the new tank system into use, an inspection of the system for the presence of any of the following items; Weld breaks, punctures, scrapes of protective coatings, cracks, corrosion, other structural damage or inadequate construction/installation. The points listed above could be added to "Component Checkout" or the "Quality Acceptance Criteria Checklist" submitted in the RATDP and when approved by an independant registered Professional Engineer will fulfill this requirement. Section 265.192 (b).

2. Section 265.192 (d) All new tanks and ancillary equipment must be tested for tightness prior to being placed in use. The Division is unable to determine whether or not this requirement is met since the contents of the "System Operational, " SO test sheets were not included for review. If a "tightness" criteria is included in the System Operational test sheets, this requirement is met. The Division would like a copy of the System Operational test sheets showing the "tightness" criteria.

3. Section 265.192 (e) Ancillary equipment must be supported and protected against physical damage and excessive stress due to settlement, vibration, expansion or contraction. The Division is unable to determine whether or not this criteria is met because piping drawings between the tanks and between the decontamination pad and the tanks were not included for review. Is the piping between the decontamination pad and the first sedimentaion tank protected from vehicular vibration?

4. Section 265.192 (g) The owner or operator must obtain and keep on file with the facility operating record the written statements and certifications pertaining to the tank design and installation.

5. The requirements in the following list can be filled by modifications to include daily inspection checklists in the Standard Operating Procedures, February 1991, Section 12, Part 5.3.1. Equipment Decontamination Pad.

a. Provide a leak detection system that is designed and operated so that it will detect the failure of either the primary or secondary containment structure or the presence of any release of hazardous waste or accumulated liquid in the secondary containment system within 24 hours. Section 265.193 (c)(3). The six inch "monitoring/access" pipe placed at the lowest point in the secondary containment system will fill this requirement if the monitoring pipe is inspected daily for leaks.

b.. Section 265.193 (f)(1)(2)(3) and (4) Ancillary equipment, aboveground piping, joints, pumps etc must be inspected daily for leaks.

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c. Section 265.195 (a) and (b) The owner or operator must develop and follow a schedule and procedure for inspecting overfill controls daily and must inspect at least once each operating day, the leak detection system, the construction materials and area immediately surrounding the externally accessible portion of the tank system, including the secondary containment system, and document in the operating record of the facility an inspection of the above items.

6. Section 265.196 Response to leaks or spills and disposition of leaking or unfit-for-use tank systems. The RATDP does not contain a contingency plan for the tank system once it becomes operational. The Division has enclosed a copy of this section of the regulations, and requests that DOE submit a leak/spill plan which complies with the regulations.

All of the above requirements must be filled before the Division can approve a change to interim status for the Remedial Action Temporary Decontamination Pad.

If you have any questions regarding the requirements please contact Noreen Matsuura of my staff at (303) 331-4920.

Sincerely,

Gary W. Baughman
Unit Manager
Hazardous Waste Facilities

enc.
cc:Jim Koffer, EG&G
Patty Corbetta, EPA
Bill Fraser, EPA
Martin Hestmark, EPA
Joe Schieffiin, CDH

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Section 265.196 Response to leaks or spills and disposition of leaking or unfit-for-use tank systems

A tank system or secondary containment system from which there has been a leak or spill, or which is unfit for use, must be removed from service immediately, and the owner or operator must satisfy the following requirements:

(a) Cessation of Use; prevent flow or addition of wastes. The waste into the tank system or secondary containment system and inspect the system to determine the cause of the release.

(b) Removal of waste from tank system or secondary containment system

(1) If the release was from the tank system, the owner/operator must, within 24 hours after detection of the leak or, if the owner/operator demonstrates that it is not possible, at the earliest practicable time, remove as much of the waste as is necessary to prevent further release of hazardous waste to the environment and to allow inspection and repair of the tank system to be performed.

(2) If the material released was to a secondary containment system all released materials must be removed within 24 hours or in as timely a manner as is possible to prevent harm to human health and the environment.

(c) Containment of visible releases to the environment. The owner/operator must immediately conduct a visual inspection of the release and based upon that inspection:

(1) Prevent further migration of the leak or spill to soils or surface water; and

(2) Remove, and properly dispose of, any visible contamination of the soil or surface water.

(d) Notifications, reports. (1) Any release to the environment, except as provided in paragraph (d)(2) of this section, must be reported to the Department within 24 hours of its detection. If the release has been reported pursuant to 40 CFR Part 302, that report will satisfy this requirement.

(2) A leak or spill of hazardous waste that is:

(i) Less than or equal to a quantity of one (1) pound and

(ii) Immediately contained and cleaned-up is exempted from the requirements of this paragraph.

(3) Within 30 days of detection of a release to the environment, a report containing the following information must be submitted to the Department:

(i) Likely route of migration of the release;

(ii) Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);

(iii) Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the Department as soon as they become available.

(iv) Proximity to downgradient drinking water, surface water, and population areas; and

(v) Description of response actions taken or planned.

(e) Provision of secondary containment, repair, or closure.

(1) Unless the owner/operator satisfies the requirements of paragraphs (e)(2) through (4) of this section, the tank system must be closed in accordance with Section 265.197.

(2) If the cause of the release was a spill that has not damaged the integrity of the system, the owner/operator may return the system to service as soon as the released waste is removed and repairs, if necessary, are made.

(3) If the cause of the release was a leak from the primary tank system into the secondary containment system, the system must be repaired prior to returning the tank system to service.

(4) If the source of the release was a leak to the environment from a component of a tank system without secondary containment, the owner/operator must provide the component of the system from which the leak occurred with secondary containment that satisfies the requirements of Section 265.193 before it can be returned to service, unless the source of the leak is an aboveground portion of a tank system that can be inspected visually. If the source is an above-ground component that can be inspected visually, the component must be repaired and may be returned to service without secondary containment as long as the requirements of paragraph (f) of this section are satisfied. If a component is replaced to comply with the requirements of this subparagraph, that component must satisfy the requirements for new tank systems or components in Sections 265.192 and 265.193. Additionally, if a leak has occurred in any portion of a tank system component that is not readily accessible for visual inspection (e.g., the bottom of an inground or onground tank), the entire component must be provided with secondary containment in accordance with Section 265.193 prior to being returned to use.